

COURT OVERRULES MOTIONS IN CASE

Attempt to Take Seltz Hearing From Jury Falls and Certain Testimony Remains.

IS SOME CORROBORATION

Judge Bank, After Study of Authorities, Holds That Jury is Judge of Extent of This Substantiation.

Motions made by the defense in the case of the state vs. Seltz, to take the case from the jury on the grounds that there was not sufficient corroboration to convict Seltz, and also to strike testimony of Carroll Taber, E. W. McManus and Samuels, were overruled by the court this afternoon. Judge Bank announced his ruling at the opening of court this afternoon. The defense will begin testimony at once.

The motion to take the case from the jury and to strike certain testimony was made yesterday morning at 10 o'clock. The entire time since then has been consumed by the arguments of the attorneys, and the citation of cases in the effort to prove their contentions.

The court said that the question in the motion was whether there was evidence to corroborate the testimony of the accomplice Armstrong tending to connect the defendant with the charge. Reading from the examination of Armstrong, the court said he had testified that Seltz told him that if he could get the jewelry he had a good friend in Hot Springs, J. C. Bohls, and that he could send to him and get cash and never get caught.

Some Corroboration Given. This conversation, it was said, took place before Armstrong burglarized the premises. The evidence of corroboration is that he did send jewelry to Bohls. As to the matter of identification the court held that there must not be any confusion between identification in larceny cases or in cases where the defendant is accused of receiving stolen property.

In burglary the question of identification was not so important, because there might be breaking and entering without the theft. In larceny there must be identification.

The meeting in the park which Armstrong told about was held to have been corroborated to a certain extent. The statement that Seltz was said to have made in which he said he would send the jewelry from Hamilton, and then said he had changed his mind, and would send them from Fort Madison, was corroborated, it was held by testimony of certain witnesses, and the letter mailed Bohls.

There was certain corroboration, also in regards the money received in the draft which was introduced as an exhibit.

According to the one hundred fiftieth Iowa it is sufficient if there is corroboration of some material part in the accomplice's testimony. Whether this corroboration is carried through must be up to the jury to decide.

The defense excepted to the ruling of the court. The jury was called back into the box and the defense asked that its witnesses be subpoenaed. It is probable that certain character witnesses will be introduced by the defense.

Legal View.

A Cleveland attorney took the Mediterranean trip a month ago. It was his first time across the water, and he stated on his return that he would have had a perfectly glorious time but for the silly questions asked him by customs officials. It was on the pier at New York that his woes came to a climax. The officer looked up in amazement. "Open your trunk, please," commanded the custom-house officer. "Have you anything in there but personal property?" he continued. "What do you mean by personal property?" countered the lawyer. "For heaven's sake, don't you know what personal property is?" "I thought I did," answered the attorney. "And I can assure you that there is no real estate in my trunk."—Cleveland Plain Dealer.

Banquet of Laughter

THE TOASTMASTER, the all-Keokuk fun book, written and printed in Keokuk. A beautiful, entertaining book which should be in every Keokuk bookcase. Price \$1.00 at C. H. Rollins & Co., or The Gate City office. Mail orders filled at \$1.05 by the author, Edward F. Carter. Just the thing for a Christmas gift for a former Keokuk citizen. It will strike the spot.

SOCIETY

"A Feel in the Christmas Air." There's a kind of feel in the air to me. When the Christmas time sets in, That's about as much of a mystery As ever I've been agin. For instance, now while I gain in weight An' general health, I swear There's a goodness some'r's I can't quite state A kind of feel in the air.

There's a feel in the Christmas air goes right To the spot where a man lives at. It gives a feller an appetite There ain't no doubt about that. And yet there's something—I don't know what, That follows me here and there, And haunts and spares me not A kind of feel in the air.

There's a feel, as I say, in the air that's just As blamed-on sad as sweet! In the same ratio as I feel best And am spryest on my feet, They's always a kind of sort of an ache That I can't locate nowhere: But it comes with the Christmas, and no mistake A kind of feel in the air.

Is the racket the children raise? Why no, God bless 'em, no, Is it the eyes and the cheeks ablaze, Like my own was long ago? Is it the beat of the whistle and the beat Of the little toy drums and blast Of the horn, no, no, it is just the sweet The sad, sweet feel in the air. —James Whitcomb Riley.

C. W. B. M. Day. Next Sunday evening the C. W. B. M. of the First Christian church will observe C. W. B. M. day, having charge of the evening service. The committee has arranged for the following program: Selection by orchestra, Hymn 423. Prayer—Miss Pearl Uhler. Scripture readings—Mrs. Ed. Laubersheimer. Solo—Mrs. Wilbur Hughes. Address—Rev. Baker. Report of secretary—Mrs. H. H. Stafford. Appeal for offerings—Mrs. E. I. Aldrich. Collection. Selection by orchestra. Benediction—Rev. Baker.

Celebrate Forefather's Day. The Keokuk chapter D. A. R. will meet on Saturday afternoon at the home of Mrs. N. T. Wilcox, 519 North Fourth street, in celebration of Forefather's day. The board of management will meet at half past two o'clock and the chapter meeting is called for three o'clock.

Dorcas Society With Mrs. Lowe. Mrs. Roscoe Lowe was hostess to the Dorcas society at a Kensington this afternoon at her home in Home Park addition.

Entertains Ladies' Society. Mrs. W. H. Rollosson was hostess to the Ladies' society of the First Congregational church this afternoon.

Trinity Ladies Meet. The Ladies' society of the Trinity M. E. church met in regular business session this afternoon in the church parlors.

Westminster Sewing Society. The Sewing society of the First Westminster Presbyterian church met this afternoon to sew in the ladies' parlor in the chapel. These regular Friday afternoon meetings serve a two fold purpose. A great amount of work is accomplished and in addition strangers in the congregation have here an opportunity to get acquainted with the women of the church in an informal, friendly way.

P. E. O. to Meet Tuesday. The P. E. O. chapter will meet on Tuesday evening at the home of Mrs. H. J. Reeves, who will be assisted in entertaining by Mrs. D. E. Reeves. The program for the evening will be the story of Parsifal read by Mrs. Gaston. This is in the chapter's study on operas and their histories. Each member-of the chapter is asked to tell a Christmas story, or give a quotation on the Christmas theme.

Valley Aid Bazaar. The ladies of the Valley M. E. Aid society gave a bazaar Tuesday afternoon and evening, at the home of Mrs. Chas. Peters, on the Hilton road. It was a decided success, both socially and financially, although they had very bad weather.

Valley Aid Society. The Ladies' Aid society of the Valley church will have their next meeting December 16, at the home of Mrs. Henry Bartels, Des Moines valley road.

Mexican Battle is On. [United Press Leased Wire Service.] NACO, Ariz., Dec. 11.—Mexican troops under General Maytorena, early today opened fire with artillery upon the trenches of the Carranzista

The Warsaw Gate City

Warsaw, Ill., Dec. 11, 1914.

The Ladies Aid society of the Methodist church will hold a market and doll bazaar at H. H. Grant's grocery on Saturday afternoon and evening.

Mr. and Mrs. Ed. Jones have gone to Los Angeles, Cal., to spend the winter with their son.

Skovgaard, the great Danish violinist, with a noted prima donna and pianiste, wants to give a concert in Warsaw in February. Our people will pleasantly remember him as a wonder and a perfect wizard with the violin.

Santa Claus has written that he hopes to make his annual visit to Main street in a few weeks. Many letters have been written to him already by Warsaw's little men and women.

The pearl button factory has been closed for a few weeks, and some of the operatives whose homes are in other towns have gone there. This fact is to be regretted as the button factory is one of the best money getters in the city, its pay roll amounting to \$1,500.00 per week. Dullness in the button market is the cause. About 90 men are thus thrown out of employment.

Coon hunting has become quite a popular sport with some of our hunters and a number of fine fat fellows have been recently bagged. Someone asks the pertinent question why the ferryboat is laid up during the whole holiday season, when

forces of General Benjamin Hill, at Naco, Sonora. Many bullets and a few shells fell upon the American side of the boundary.

Three batteries of the Sixth U. S. field artillery sent from San Antonio, Texas, to guard the boundary here, arrived today.

CITY NEWS.

—Choice chickens and good tender roasts at Markley's, 719 Main. —Mr. and Mrs. Anthony M. McAndrew of 923 Blondeau street, are rejoicing over the birth of a son this morning.

—Born to Mr. and Mrs. H. G. Dunn, of 1517 Concert street, a daughter this morning.

—O. R. Johnston, of Fort Madison, county clerk-elect, was in the city today visiting with the local deputy, Al Vollers, and with other friends.

—County Treasurer Wm. Reimbold has appointed H. A. Skyles as deputy treasurer at Fort Madison, who will succeed Albert Kammerer.

—Special coffee sale, save you 10c per lb. Prices 15c, 20c and 25c, limit 3 lbs. to a customer. Fred DeYoung.

—Masonic: Special meeting of Hardin lodge No. 29, A. F. & A. M. Saturday evening, Dec. 12, 1914 at 7:30 o'clock. Work on F. C. degree. Visiting brethren fraternally invited. By order of the W. M. L. N. Hahn, Secy.

—W. H. McCoy's city directory force has commenced work compiling the 1915 directory of Keokuk which will be out at the beginning of the new year. This will make the thirteenth edition of the book under the direction of Mr. McCoy, but the force is not superstitious and expects to secure more names of residents than any Keokuk city directory ever before contained.

—Regular meeting Gate City chapter No. 7, R. A. M., Masonic temple tonight, 7:30. Visiting brethren cordially invited to attend.

—A meeting will be held at the offices of the city council at 5 o'clock this afternoon to name a "Belgian relief committee" and to discuss the action to be taken in this community on securing relief for the destitute and music merchant CCCW. H. & C. —Charles O. Davis, Carriage piano and music merchant, died at the home of his parents, Mr. and Mrs. Thomas W. Davis, in that city Tuesday evening and the funeral occurred this afternoon at the Methodist church.

COMPANY L WILL MEET MONDAY NIGHT Major J. C. Bradbury, of Oskaloosa, Will be Present to Talk Over Future of the Company. [United Press Leased Wire Service.] WASHINGTON, Dec. 11.—The final fight for the liberty of Harry K. Thaw, who killed Stanford White, was begun in the supreme court before a crowd which filled every inch of room. A long line waited outside in the halls. Among the spectators was Thaw's mother. William Travers Jerome, Thaw's nemesis, began the argument. He attacked the brief of former Attorney General Philander Knox of Thaw's counsel, declaring that New York state was not attempting to extradite a criminal, but was attempting to extradite Thaw on the charge of conspiracy to cause obstruction of justice in effecting his escape from Matteawan asylum.

Thaw's Last Fight. [United Press Leased Wire Service.] WASHINGTON, Dec. 11.—The final fight for the liberty of Harry K. Thaw, who killed Stanford White, was begun in the supreme court before a crowd which filled every inch of room. A long line waited outside in the halls. Among the spectators was Thaw's mother. William Travers Jerome, Thaw's nemesis, began the argument. He attacked the brief of former Attorney General Philander Knox of Thaw's counsel, declaring that New York state was not attempting to extradite a criminal, but was attempting to extradite Thaw on the charge of conspiracy to cause obstruction of justice in effecting his escape from Matteawan asylum.

10,000 Russians Captured. [United Press Leased Wire Service.] BERLIN, (via wireless to London), Dec. 11.—Vast forces arrayed against each other on both sides in western Galicia today are continuing the stubborn struggle for mastery of that territory. The Vienna war office claims 10,000 Russians have been captured. Reports reaching here from Constantinople say that an attempt made by Russians to land a force near Gonis in South Batum, under cover of

want Column

WANTED

WANT—To buy direct from owner, 20 to 30 acres not too far from Keokuk; improved or unimproved. Give description, price and all particulars in first letter. Address "Gardener," care Gate City.

WANTED—Active man with small capital to handle popular automobile. Good territory to right party. Address C. R., care this paper.

WANTED—Position by experienced stenographer; references. Address V, this office.

FOR RENT

FOR RENT—One large room on main floor. Furnished or unfurnished. Modern. Call 329 North Fourth street.

FOR RENT—723 Morgan and 716 Fulton, modern eight rooms. Inquire next door, or 727 Morgan.

FOR RENT—Modern six, seven, eight room houses. Chas. Alton, 1209 Franklin. Phone Reg 694.

FOR RENT—Nine room house, 628 Franklin; steam heat, two baths, electric and gas lighted. Lillian M. Perkins.

FOR RENT—Five room house, \$9.00 per month. Inquire 1217 Concert. Phone Black 1164.

FOR SALE

FOR SALE—Modern six room house, 17 North Twelfth street. Inquire on premises or phone 1254.

FOR SALE—A forty acre farm, 4 1/2 miles north of Hamilton. Enquire or address John Mohart, Nauvoo, Ill.

FOR SALE—Good paying street lunch business, \$35.00 if sold at once. 726 South Sixth street. Phone Red 559.

LOST

LOST—Ladies gold watch engraved M. P. Anheuser-Busch watch fob. Return to 17 1/2 North First. Reward.

STRAYED.

STRAYED—2 1/2 year old red heifer with horns. Please notify Jesse Nelson, route 1.

MISCELLANEOUS

FOR estimates on plastering and repair work, call Red 1301. Stanley Johnson, 717 North Thirteenth street.

LADIES—Our illustrated catalogue explains how we teach hairdressing in few weeks, mailed free. Write Moler college, 810 N. 6th street, St. Louis.

MEN—Our illustrated catalogue explains how we teach the barber trade in short term, mailed free. Write Moler College, St. Louis, Mo.

LADIES—\$1 dozen making aprons at home. We pay you. Send stamped reply envelope for particulars. Globe Supply Co., Hornell, N. Y.

BILLY SUNDAY'S message. Great opportunity for man or woman to make \$6.00 to \$15.00 a day. Unusually liberal terms. Spare time may be used. Particulars and samples free. Universal Bible House, 1012 Arch street, Philadelphia.

heavy fire from warships, was repulsed.

New York Money Market. NEW YORK, Dec. 11.—Money on call, 3 1/2 percent. Six months, 4 percent. Mercantile paper, 4 1/2 to 5 percent. Bar silver London, unchanged. Bar silver New York, 49 3/4. Demand sterling, \$4.87 1/2.

Because She Loved Him. [United Press Leased Wire Service.] DES MOINES, Iowa, Dec. 11.—Because she loved her husband John Lewis, 51, so much she could not surrender him to other women, his wife shot him twice in their home today and then fled to the home of her mother, Mrs. N. Gray, where she was arrested. Mrs. Lewis told neighbors that her husband had not been home for five nights and that she knew he was attentive to another woman. Lewis who is a saloon keeper, was divorced some time ago and his first wife was among the first to telephone the hospital where he lies at the point of death, to ask after his condition.

Below Zero Weather. [United Press Leased Wire Service.] KANSAS CITY, Mo., Dec. 11.—Northern Kansas experienced zero weather last night. Concordia reporting five below. Snow flurries continued over the southern and eastern portion of the state.

Fight on Saloons. [United Press Leased Wire Service.] DES MOINES, Iowa, Dec. 11.—As soon as Billy Sunday closes his revival here within a few days, the "dry" will start a campaign to close the eighty-five saloons here. Instead of using the initiative of the Des Moines plan and asking for a special election, they will file a monster petition with the city council, urging them to refuse to renew sa-

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Ayres & Chapman

Jewelers—Silversmiths—Diamond Importers Society Stationers

Christmas Specials for Saturday

Indestructible Pearl Neck Chains, fine quality, solid gold clasps, values up to \$5.00. Extra special Saturday, each \$2.75. Boxed Correspondence Cards with envelopes, ribbon tied, gold edge. Extra special 50c. A new Belt Chain to be worn with midget size watch, for ladies. Extra special \$2.00. Lingerie Clasps in fine gold filled, four patterns. Saturday only, per pair 50c. Men's fine silk Fobs mounted in best grade stiffened gold, seal designs. Extra special Saturday \$2.25.

XMAS \$10 AND UPWARDS. Loans on Furniture, Pianos, Live Stock and Implements. CHEAPEST RATES IN CITY. PRIVATE, COURTEOUS. You can pay back in small weekly or monthly payments. Straight to Farmers. Our ways have pleased others—Why not yours? CITY LOAN CO. 614 1/2 MAIN STREET Phone 963.

AMUSEMENTS. At the Hippodrome. Tonight, Saturday and Sunday. Pepple and Greenwall Presents "The Follies of Broadway". A Blast of Modern Frivolity and Master Talent. One big performance at 8:15 each evening, and matinee at 2:45. Come at 2 o'clock for matinee or 7:30 evening, and see a choice picture show program selected from the old reliable Trust Co. Before the big musical show starts. Real splay entertainment appropriate and enjoyable for the whole family. PRICES, 10, 20, 25, AND 35c.

GRAND OPERA HOUSE. WED NIGHT, DEC. 16. THE DAINTY MUSICAL COMEDY OF YOUTH. "When Dreams Come True". LARGE COMPANY OF ARTISTS including FREDERIC SANTLEY. And the Daintiest Dancing Chorus Ever Seen. PRICES, 25c TO \$1.50. Mail and Phone Orders Now.

TONIGHT. PATHE NEWS. THE HORRORS OF WAR. And other current events. THE MUTUAL GIRL. Viewing the big FOOTBALL GAME Yale vs. Princeton. Comedy and Drama. Come tonight. SATURDAY. Matinee 2:30 p. m. See America First. The Beggar Child. America Drama. The Incompetent Hero. Keystone Comedy. The Girl Detective. Reliance Drama. A Blue Bird souvenir balloon for every Boy and Girl. School children, 5c. Night, 7, 8, 9. A good Program Tonight.

Out After Everything. Perry Chief: Sioux City captured the Western league pennant and also the state high school championship in football. The city is also out after everything else, including the title of metropolis of Iowa. From the way the town has advanced in the last few years the latter title is far from being an improbability. Individual Responsibility. In the great scheme of things, all interests are so interwoven that no one can live his life without having it affect countless others, for endless time; so that it becomes a great responsibility upon each one to build his little part, wisely and well.